

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PENNFIELD OIL COMPANY d/b/a  
PENNFIELD ANIMAL HEALTH, a  
Nebraska corporation,

Plaintiff,

v.

ALPHARMA Inc., a Delaware corporation,  
now known as ALPHARMA, LLC, a  
Delaware Limited Liability Company,

Defendant.

Case No. 8:09-cv-00345-LES-TDT

ALPHARMA Inc., a Delaware corporation,

Counterclaim-Plaintiff,

v.

PENNFIELD OIL COMPANY d/b/a  
PENNFIELD ANIMAL HEALTH, a  
Nebraska corporation,

Counterclaim-Defendant.

**INDEX OF EVIDENCE ACCOMPANYING BRIEF IN SUPPORT OF  
ALPHARMA'S MOTION TO MODIFY FINAL PROGRESSION ORDER**

Defendant and Counterclaim-Plaintiff Alpharma Inc., now known as Alpharma, LLC, ("Alpharma") hereby submits the following evidence accompanying its brief in support of its motion to modify the final progression order:

1. Exhibit 1: Email from Daniel Epstein to William Beard copying Amina Dammann, dated October 28, 2010.
2. Exhibit 2: Email from Daniel Epstein to Amina Dammann copying William Beard, dated November 1, 2010.
3. Exhibit 3: Email from William Beard to Daniel Epstein and Amina Dammann, dated November 1, 2010.
4. Exhibit 4: Letter from William Beard to Brien Welch and Daniel Epstein, dated November 3, 2010.

5. Exhibit 5: Email from William Beard to Brien Welch and Daniel Epstein copying Amina Dammann, dated November 11, 2010.
6. Exhibit 6: Letter from Daniel Epstein to William Beard, dated November 12, 2010.
7. Exhibit 7: Letter from William Beard to Daniel Epstein and Brien Welch, dated November 15, 2010.
8. Exhibit 8: Letter from Daniel Epstein to William Beard, dated November 15, 2010.
9. Exhibit 9: Letter from William Beard to Daniel Epstein and Brien Welch, dated November 16, 2010.
10. Exhibit 10: Letter from Daniel Epstein to William Beard, dated November 17, 2010.
11. Exhibit 11: Responsive Expert Report of Dr. Mark Papich, dated November 1, 2010.
12. Exhibit 12: Affidavit of R. William Beard, Jr.

Dated: November 19, 2010.

Respectfully submitted

By: s/R. William Beard, Jr.

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*Attorneys for King Pharmaceuticals, Inc. and King  
Pharmaceuticals Holdings, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of November, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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s/ R. William Beard, Jr.

R. William Beard, Jr.